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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/799,947

03/12/2004

Gary Dean LaVon

9577

8015

27752 7590 06/15/2007

THE PROCTER & GAMBLE COMPANY  
INTELLECTUAL PROPERTY DIVISION - WEST BLDG.  
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6250 CENTER HILL AVENUE  
CINCINNATI, OH 45224

EXAMINER

HAND, MELANIE JO

ART UNIT

PAPER NUMBER

3761

MAIL DATE

DELIVERY MODE

06/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

10/799,947

Applicant(s)

LAVON ET AL.

Examiner

Melanie J. Hand

Art Unit

3761

All participants (applicant, applicant's representative, PTO personnel):

(1) Melanie J. Hand.

(3) \_\_\_\_\_.

(2) Michael Hayden.

(4) \_\_\_\_\_.

Date of Interview: 08 June 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 16-19.

Identification of prior art discussed: Tanji (US 6,461,342).

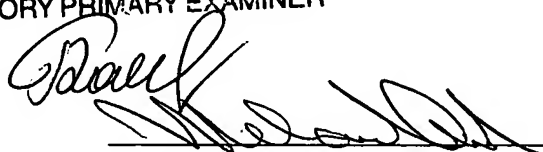
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

TATYANA ZALUKAEVA  
SUPERVISORY PRIMARY EXAMINER



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant requested interview to address Examiner's response to applicant's remarks in the final action mailed 4/11/07. Examiner used the word "spurious" to describe two of applicant's remarks regarding the claim rejections. Applicant noted that the primary definition of the word "spurious" means deceitful and that no deceit was intended by the remarks as submitted. Examiner agrees that no deceit appears to have been intended. Examiner has attached the definition of "spurious" as obtained from an online dictionary at <http://encarta.msn.com>. This definition illustrates both the definition understood by Examiner (i.e. "not valid or well-founded") as well as the definition understood by applicant (i.e. not authentic" or "different from what is claimed to be") to fully address the misunderstanding between Examiner and applicant. Applicant further noted that the side flaps taught by Tanji are attached to the chassis, not the absorbent assembly, as is required by the claims. Examiner agrees that claim 16 distinguishes over the prior art of Tanji. Applicant further addressed the differing definitions for proximal and distal used by Tanji with regard to elastic members versus the claimed invention. Examiner explained that Fig. 2 of Tanji illustrates that elastics 121 would meet the relevant claim limitation according to the disclosed definition of if the side flaps 123 were folded over the top of the absorbent assembly. Though claim 16 distinguishes over Tanji, applicant expressed the possible action of cancelling claims 16-19 and filing a continuation with those claims set forth in the child case. The alternate possible action set forth by applicant in the interview was to file an after-final amendment consisting solely of remarks indicating the substance of this interview and the deficiencies of Tanji. Examiner agrees to reopen prosecution if this action is chosen by applicant .

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# Dictionary

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A B C D E F G H I J K L M N O P Q R S T U V W X Y Z



spunk  
spunky  
spur  
spur gear  
spur-of-the-moment  
spur wheel  
spurge  
spurge laurel  
► **spurious**  
spurn  
spurry  
spurt  
spurtle  
sputa  
sputnik  
sputter  
sputum



spurious



spu·ri·ous [ spyóóree əs ]

adjective

Definition:

**1. not genuine:** different from what it is claimed to be, not authentic, or not valid or well-founded

- *spurious arguments*

**2. BOTANY resembling another plant part:** having the outward appearance of another plant part but not its function or origin

**3. illegitimate:** born to parents not legally married to each other ( *archaic* )

[Late 16th century. < Latin *spurius* "illegitimate child"]

- spu·ri·ous·ly *adverb*
- spu·ri·ous·ness *noun*

Print Preview

See pronunciation key

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
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